

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applic. No.: 10/578,692
Confirm. No.: unknown Group Art Unit.: unassigned
Applicant: Philip J. BARR *et al.* Examiner: unassigned
International Filing Date: November 10, 2004
For: DRY RECOMBINANT HUMAN ALPHA 1-ANTITRYPSIN
FORMULATION

EXPRESS MAIL NO.: V 582 635 179 US

Mailing Date: December 28, 2006

Attention: Anthony Smith, Attorney Advisor, Office of PCT Legal Administration
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

Applicants received a Communication dated June 28, 2006 indicating that a different attorney had filed separate papers requesting entry into the national phase of International Application PCT/GB04/04740. The filing of two national stage applications is allegedly improper. A copy of the Communication is attached for reference.

Applicants wish to withdraw this application in favor of the second application filed by the other attorney under Customer Number 23557. Applicants understand that the other attorney has filed or will be filing shortly the required signed declarations and other documents to fulfill the missing parts requirements.

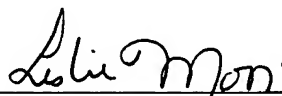
CONCLUSION

Should there be any further issues outstanding, the Examiner is invited to contact the undersigned attorney at the telephone number shown below. Please charge any additional fees, including fees for additional extension of time, or credit overpayment to Deposit Account No. 08-1641 (referencing Attorney's Docket No. 39042-0037).

Respectfully submitted,

HELLER EHRMAN LLP

Date: December 28, 2006



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